

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

WILLIAM B. O'NEAL,)	CASE NO. 1:06 CV 2728
)	
Plaintiff,)	JUDGE JAMES S. GWIN
)	
v.)	
)	<u>ORDER</u>
ROBERT D. NEWMAN, et al.,)	
)	
Defendants.)	

This action was summarily dismissed on January 25, 2007, on the ground that plaintiff's claims implicitly challenged the length of his sentence. On February 7, 2007, plaintiff filed a Motion for Reconsideration, requesting that the court permit a proposed amendment of the supplemental complaint, and that the case be reinstated on the basis of the amendment.

The Motion for Reconsideration is denied, as the court was required to dismiss the claims before it as presented in the original pleadings. 28 U.S.C. § 1915A; McGore v. Wigglesworth, 114 F.3d 601 (6th Cir. 1997). The dismissal was without prejudice, and plaintiff may therefore file a new case if he wishes.

The court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this order could not be taken in good faith.

IT IS SO ORDERED.

Dated: April 4, 2007

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE